

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

MASON VAUGHAN, et al.,)	Civ. Action No.: 1:23-cv-00186-
)	LCB-JEP
Plaintiff,)	
)	DEFENDANTS' THIRD
vs.)	UNOPPOSED CONSENT
)	MOTION FOR EXTENSION OF
DELTA DELTA DELTA FRATERNITY, et al.)	TIME TO ANSWER, MOVE, OR
)	OTHERWISE RESPOND TO
Defendants.)	PLAINTIFFS' COMPLAINT
)	

Defendants Delta Delta Delta Fraternity, Delta Delta Delta Park Street Properties, LLC and Delta Delta Delta Foundation (collectively, “**Defendants**”), by and through its undersigned counsel, pursuant to Federal Rule of Civil Procedure 6(b) and Local Civil Rule 7.1, respectfully moves this Court for an Order extending the time by which Defendants must move, answer, or otherwise respond to Plaintiffs’ complaint, by forty-five (45) days to September 23, 2024. In support of its motion, Defendants state as follows:

1. On March 6, 2024, Plaintiffs filed the complaint in this matter. (Dkt. 1.)
2. Each of the Defendants filed their respective Waiver of the Service of Summons on April 9, 2024 (Dkt. Nos. 6-9), and each such Waiver of the Service of Summons was refiled again on April 26, 2024 (Dkt. Nos. 12-15).
3. On June 5 and July 9, 2024, respectively, Defendants filed their First and Second Motions for an Extension of Time to File an Answer or Otherwise Respond to Plaintiff’s Complaint (Dkt. Nos. 16, 18).
4. The current deadline by which the Defendants must answer, move, or otherwise respond to the complaint is August 9, 2024 pursuant to this Court’s Order dated July 16, 2024 (Dkt. No. 19).

5. On August 9, 2024, the Parties reached a settlement in principle of this matter on a class-wide basis, but the Parties require additional time to prepare and execute the necessary settlement documents and prepare and file the necessary motion for preliminary approval of the class-wide settlement. The Parties anticipate that they will be able to prepare and finalize these documents in forty-five (45) days.

6. Under Federal Rule of Civil Procedure 6(b), this Court is authorized to extend the period within which Defendants must answer, move, or otherwise respond to the complaint.

7. In light of the Parties' settlement in principle of this matter, Defendants requests an extension of time of forty-five (45) days to answer, move, or otherwise respond to the complaint, or for the Parties to otherwise file the motion for preliminary approval.

8. On August 9, 2024, counsel for Defendants discussed this request with Plaintiffs' counsel and Plaintiffs' counsel consents to the extension.

9. This Motion is not submitted for the purpose of unnecessary delay. Granting the instant Motion will not cause prejudice to any party, but denying the Motion will cause prejudice to Defendants.

10. This is Defendants' third request for an extension of any deadline in this matter.

WHEREFORE, Defendants respectfully requests that this Court enter an Order extending the time by which Defendants must move, answer, or otherwise respond to the complaint by forty-five (45) days from the current due date of August 9, 2024 to September 23, 2024, or for the Parties to otherwise file the motion for preliminary approval.

Dated: August 13, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on August 13, 2024, a copy of the foregoing document was filed and served via the Court's ECF filing system, which will notify the following:

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